

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICROBILT CORPORATION,

Plaintiff,

Case No. 05-60038

v.

District Judge Marianne O. Battani  
Magistrate Judge R. Steven Whalen

DOGITAL DIALOGUE, LLC.,  
DIALOGUE MARKETING, INC.,  
and PETER SCHMITT,

Defendants.

---

**ORDER**

Before the Court is Defendants' Motion to Strike Plaintiff's Supplemental Expert Witness List [Docket #22], which has been referred for hearing and determination pursuant to 28 U.S.C. §636(b)(1)(A). For the reasons stated on the record on January 10, 2006, Defendants' Motion is GRANTED IN PART AND DENIED IN PART, as follows:

1. One of the two experts designated in the Plaintiff's Supplemental Witness List [Docket #21] shall be stricken. Plaintiff will select a single expert witness and designate that selection in writing by January 11, 2006.
2. The Scheduling Order shall be amended as follows:

A. The report of Plaintiff's designated expert will be served on or before March 10, 2006.

B. The report of Defendants' expert will be served on or before April 10, 2006.

C. All discovery will close on May 10, 2006.

D. Dispositive motions will be filed and served on or before June 10, 2006.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: January 10, 2006

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on January 10, 2006.

S/Gina Wilson  
Judicial Assistant